Haringey

# Appeal Decision

Site visit made on 5 June 2007

**by Chris Watson** **BSc Dip URP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

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**Date: 15 June 2007**

**Appeal Ref: APP/Y5420/A/07/2035857**
**145 Lothair Road North, London N4 1ER**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Kitty Co against the decision of the Council of the London Borough of Haringey.
- The application Ref HGY/2006/2228, dated 10 November 2006, was refused by notice dated 5 January 2007.
- The development proposed is a single storey rear extension.

## Preliminary Matter

1. The appellant refers to the site address as Lothair Road. However, the street is more accurately described as Lothair Road North. Accordingly my decision refers to the latter.

## Decision

2. I allow the appeal, and grant planning permission for a single storey rear extension at 145 Lothair Road North, London N4 1ER in accordance with the terms of the application, Ref HGY/2006/2228, dated 10 November 2006, and the plans submitted with it (being drawing ref No GV1370-200), subject to the following conditions:.

   1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.

   2) The construction works of the development hereby granted shall not be carried out before 08:00 or after 18:00 hours Monday to Friday or before 08:00 or after Midday on Saturdays and not at all on Sundays or bank holidays.

   3) The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area without the prior written consent of the local planning authority.

## Reasons

3. No 145 Lothair Road North is a two-storey building with a two-storey rear outrigger. It is situated at the end of a long terrace of properties that are very similar in appearance, age, and facing materials. The building has previously been converted into self-contained flats. The proposal would extend the rear

outrigger outwards by some 3m in order to provide a kitchen/dining area for the existing two bedroom ground floor flat.

4. The development plan for the area includes the Haringey Unitary Development Plan (UDP). UDP Policy UD3 seeks to protect the character and appearance of the area and residents' living conditions and Policy UD4 seeks to achieve high design quality for all new developments. In furtherance of these aims the UDP contains adopted supplementary planning guidance (SPG) to which I attach substantial weight. In particular, SPG1a, entitled "Design Guidance" and SPG3a, entitled "Density, Dwelling Mix, Floorspace Minima, Conversions, Extensions and Lifetime Homes".

5. The latter describes the area within which the appeal property is located as the *Harringay Ladder* - one of a number of areas defined as a "Restricted Conversion Area". Such areas are subject to extreme parking pressure and pressure to convert family houses to flats. The SPG also says that conversion of properties into self-contained flats should be carried out without the need for extensions, unless they are needed to improve substandard facilities and they do not harm adjacent residents' amenity.

6. I recognise that the conversion of single family dwellings to flats can materially reduce the stock of single family dwellings and thereby restrict housing choice. I also accept that where smaller properties are converted to flats the accommodation provided may be cramped and substandard; resulting in pressure to extend which may, in turn, reduce private amenity space and adjacent residents' living conditions in terms of outlook and natural light. In this sense the advice in SPG3a is both reasonable and commendable. That said, each case is treated on its own merits. In this respect, whilst the SPG expresses a preference for conversions to be carried out without extending the host building, it does not expressly preclude them. In this case, whilst not wholly in accord with SPG3a, I consider the proposal would provide more spacious, airy, kitchen and dining room accommodation for an existing flat without excessively extending the building.

7. Moreover, there is no effect in terms of the housing stock or the character of the area as the property has already been converted. Although a new habitable room would be created it would not reduce the private outdoor amenity space for the ground floor flat by less than the 50 sq m minimum recommended in SPG3a. Nor would it unacceptably affect adjacent residents' living conditions in terms of outlook and natural light; despite being close to the common boundary with No 143 Lothair Road North, given that it would have a limited rearward projection and be only single storey in height.

8. Adjacent residents' living conditions would be further protected by the imposition of suitably worded conditions that firstly prevent construction work during unsocial hours and secondly prevent the flat roof of the extension being used as a balcony or roof garden.

9. The proposal would not be wholly consistent with the architectural style and form of the host building. However, as it would be sited at the rear of the building and would not be open to view from the street I do not consider it would be materially harmful to the character and appearance of the area.

10. To my mind the proposal would assist in providing more spacious dining/kitchen facilities to the ground floor accommodation without unduly compromising the aims of UDP Policies UD3 or UD4 or the general principles of SPG1a or SPG3a. Accordingly, having regard to all other matters raised, my conclusion is that the appeal should succeed.

*Chris Watson*

INSPECTOR